IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A traffic control method for mobile data communications in a mobile communication system of a scheme using spread signals including CDMA, where two types of communication channels including a common channel and a plurality of individual channels are provided such that the common channel is set to be used by a plurality of users together and each individual channel is set to be used exclusively by one user, the traffic control method for mobile data communications characterized by

carrying out a communication using the common channel, between a mobile radio terminal and a radio base station;

detecting an increase or a decrease of data traffic at the mobile radio terminal during the communication;

carrying out an admission ~~judgement~~judgment for a shift from the common channel to the individual channel at the radio base station or the mobile radio terminal, when ~~a communication~~the increase in data traffic at the mobile radio terminal is detected~~shifting from a sparse state to a dense state during the communication~~; and

shifting from the communication using the common channel to the communication using the individual channel between the mobile radio terminal and the radio base station, when an admission of the shift is possible.

Claim 2 (Currently Amended): The traffic control method for mobile data communications as described in claim 1, characterized in that the admission ~~judgement~~judgment for the shift from the common channel to the individual channel is carried out, at the radio base station according to information on an uplink interference amount which is an amount of received interferences and/or a downlink transmission power

level which is a power level transmitted from the radio base station, or at the mobile radio terminal by receiving information on the uplink interference amount and/or the downlink transmission power level that is transmitted from the radio base station and according to the received information on the uplink interference amount and/or the downlink transmission power level.

Claim 3 (Currently Amended): The traffic control method in mobile data communications as described in claim 1, characterized in that, when an admission of the shift is not possible as a result of the admission ~~judgement~~judgment for the shift from the common channel to the individual channel so that the communication is to be kept on the common channel, the radio base station and/or the mobile radio terminal are controlled such that data transmission is not carried out for a prescribed period of time or data transmission is carried out within a prescribed frequency, with regard to the communication.

Claim 4 (Currently Amended): The traffic control method in mobile data communications as described in claim 3, characterized in that, when an admission of the shift is not possible as a result of the admission ~~judgement~~judgment for the shift from the common channel to the individual channel so that the communication is to be kept on the common channel, and the shift from the common channel to the individual channel is to be attempted again after controlling the radio base station and/or the mobile radio terminal such that data transmission is not carried out for the prescribed period of time or data transmission is carried out within the prescribed frequency with regard to the communication, a timing for restarting an individual channel set up operation is controlled to be different from other mobile radio terminals.

Claim 5 (Original): The traffic control method in mobile data communications as described in claim 4, characterized in that the timing for restarting the individual channel set up operation is determined according to a random number.

Claims 6-15 (Cancelled).

Claim 16 (New): A base station device in a mobile communication system of a scheme using spread signals including CDMA, where two types of communication channels including a common channel and a plurality of individual channels are provided such that the common channel is set to be used by a plurality of users together and each individual channel is set to be used exclusively by one user, the base station device characterized by

a communication unit configured to carry out a communication using the common channel with a mobile radio terminal; and

an admission judgment unit configured to detect an increase or a decrease of data traffic at the mobile radio terminal during the communication, and to carry out an admission judgment for a shift from the common channel to the individual channel at the radio base station or the mobile radio terminal, when the increase in data traffic at the mobile radio terminal is detected; and wherein

the communication unit is configured to shift from the communication using the common channel to the communication using the individual channel with the mobile radio terminal, when an admission of the shift is possible.

Claim 17 (New): The base station device as described in claim 16, characterized in that the admission judgment unit carries out the admission judgment according to information on an uplink interference amount which is an amount of interferences received at the base

station device and/or a downlink transmission power level which is a power level transmitted from the base station device.

Claim 18 (New): The base station device as described in claim 16, characterized by having a data transmission control unit for controlling the base station device and/or the mobile radio terminal such that data transmission is not carried out for a prescribed period of time or data transmission is carried out within a prescribed frequency, with regard to the communication, when an admission of the shift is not possible as a result of the admission judgment for the shift from the common channel to the individual channel so that the communication is to be kept on the common channel.

Claim 19 (New): The base station device as described in claim 18, characterized by having a transmission time control unit for controlling a timing for restarting an individual channel set up operation to be different from other mobile radio terminals, when an admission of the shift is not possible as a result of the admission judgment for the shift from the common channel to the individual channel so that the communication is to be kept on the common channel, and the shift from the common channel to the individual channel is to be attempted again after controlling the base station device and/or the mobile radio terminal such that data transmission is not carried out for the prescribed period of time or data transmission is carried out within the prescribed frequency with regard to the communication.

Claim 20 (New): The base station device as described in claim 19, characterized in that the transmission time control unit determines the timing for restarting the individual channel set up operation according to a random number.

Claim 21 (New): A mobile station device in a mobile communication system of a scheme using spread signals including CDMA, where two types of communication channels including a common channel and a plurality of individual channels are provided such that the common channel is set to be used by a plurality of users together and each individual channel is set to be used exclusively by one user, the mobile station device characterized by

a communication unit configured to carry out a communication using the common channel and the individual channel with a radio base station; and

an admission judgment unit configured to detect an increase or a decrease of data traffic at the mobile radio terminal during the communication, and to carry out an admission judgment for a shift from the common channel to the individual channel at the radio base station or the mobile radio terminal, when the increase in data traffic at the mobile radio terminal is detected; and wherein

the communication unit is configured to shift from the communication using the common channel to the communication using the individual channel with the radio base station, when an admission of the shift is possible.

Claim 22 (New): The mobile station device as described in claim 21, characterized in that the admission judgment unit carries out the admission judgment by receiving information on an uplink interference amount which is an amount of interferences received at the radio base station and/or a downlink transmission power level which is a power level transmitted from the radio base station and according to the received information on the uplink interference amount and/or the downlink transmission power level.

Claim 23 (New): The mobile station device as described in claim 21, characterized by having a data transmission control unit for controlling the mobile station device and/or the

radio base station such that data transmission is not carried out for a prescribed period of time or data transmission is carried out within a prescribed frequency, with regard to the communication, when an admission of the shift is not possible as a result of the admission judgment for the shift from the common channel to the individual channel so that the communication is to be kept on the common channel.

Claim 24 (New): The mobile station device as described in claim 23, characterized by having a transmission time control unit for controlling a timing for restarting an individual channel set up operation to be different from other mobile radio terminals, when an admission of the shift is not possible as a result of the admission judgment for the shift from the common channel to the individual channel so that the communication is to be kept on the common channel, and the shift from the common channel to the individual channel is to be attempted again after controlling the mobile station device and/or the radio base station such that data transmission is not carried out for the prescribed period of time or data transmission is carried out within the prescribed frequency with regard to communication.

Claim 25 (New): The mobile station device as described in claim 24, characterized in that the transmission time control unit determines the timing for restarting the individual channel set up operation according to a random number.